

MINUTE ITEM

This Calendar Item No. C26 was approved as
Minute Item No. 26 by the California State Lands
Commission by a vote of 3 to 0 at its
11-21-06 meeting.

CALENDAR ITEM

C26

A 5

11/21/06

PRC 5344

WP 5344.1

S 6

V. Massey

GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE

APPLICANTS:

Brian Perry, Jamie Bobolis, and Ken Perry

LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to the Garden Highway, in the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock and ramp, and the use and maintenance of bank protection as shown on Exhibit A.

LEASE TERM:

Ten years, beginning August 30, 2001.

CONSIDERATION:

Uncovered floating boat dock and ramp: \$868 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

Bank Protection: The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Liability insurance with combined coverage of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission authorized a General Lease - Recreational Use to Brian Perry, Jamie Bobolis, and Ken Perry. That lease expired on August 29, 2001. The Applicants are now applying for a

CALENDAR ITEM NO. **C26** (CONT'D)

new General Lease - Recreational and Protective Structure Use. During the interim period, between August 29, 2004 and June 14, 2006, the lease has been in holdover status. The rent is current, no changes have been made to the lease premises. The bank protection has existed at the site for years, but was not under lease. The proposed lease now included the bank protection

3. Applicants do not qualify for a Recreational Pier Lease because the upland property is not improved with a single-family dwelling.
4. The bank protection at this location mutually benefits both the public and the applicant. The bank protection on the Sacramento River will have the additional protection from wave action provided at no cost to the public.
5. **Uncovered Floating Boat Dock and Ramp:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. **Bank Protection:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating

CALENDAR ITEM NO. **C26** (CONT'D)

such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

UNCOVERED FLOATING BOAT DOCK AND RAMP: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

BANK PROTECTION: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

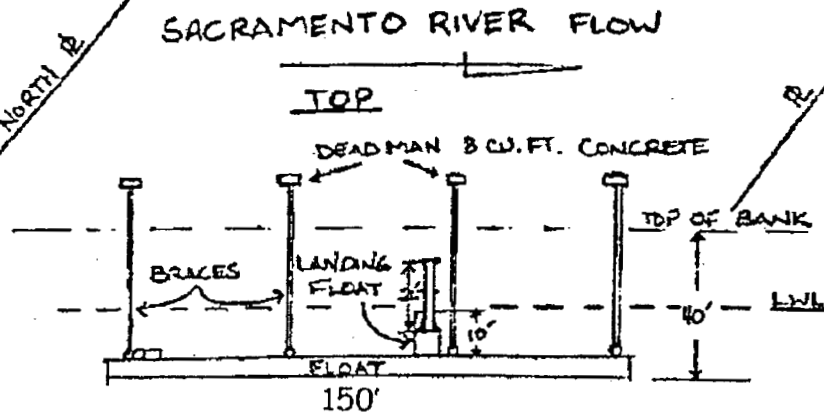
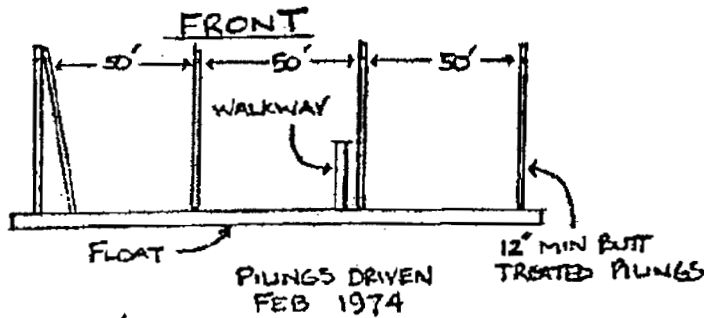
AUTHORIZATION:

AUTHORIZE ISSUANCE TO BRIAN PERRY, JAMIE BOBOLIS, AND KEN PERRY OF A GENERAL LEASE - RECREATIONAL AND PROTECTIVE STRUCTURE USE, BEGINNING AUGUST 30, 2001, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING UNCOVERED FLOATING BOAT DOCK AND RAMP, AND THE USE AND MAINTENANCE OF BANK PROTECTION AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$868, WITH THE STATE RESERVING THE RIGHT TO FIX

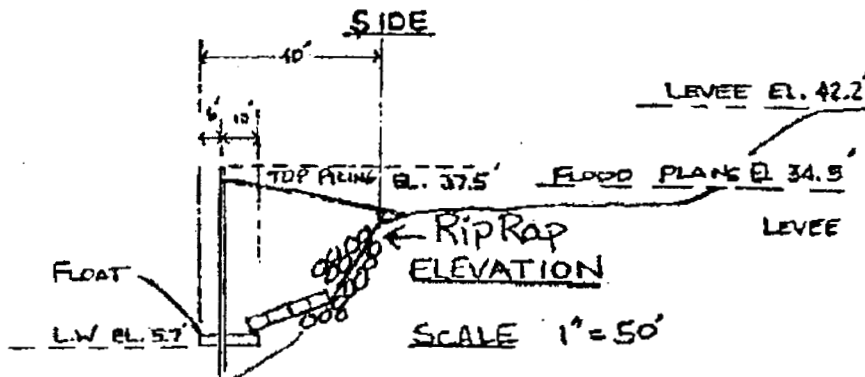
CALENDAR ITEM NO. **C26** (CONT'D)

A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$500,000.

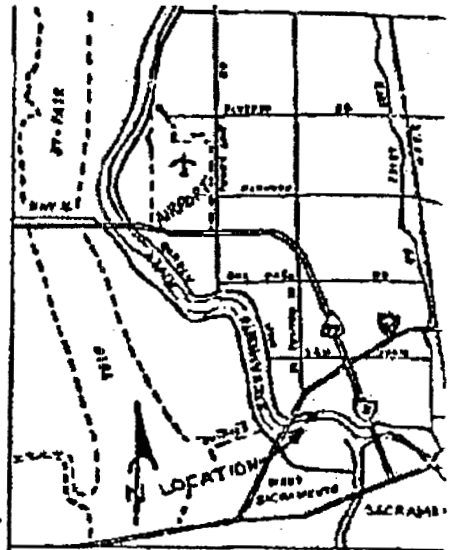
SITE AND LOCATION MAP



FLOAT MATERIALS
 2x6 STRINGERS
 2x8
 1/2" PLYWOOD
 STYROFOAM FLOTATION



This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.



VICINITY MAP

LOCATION MAP

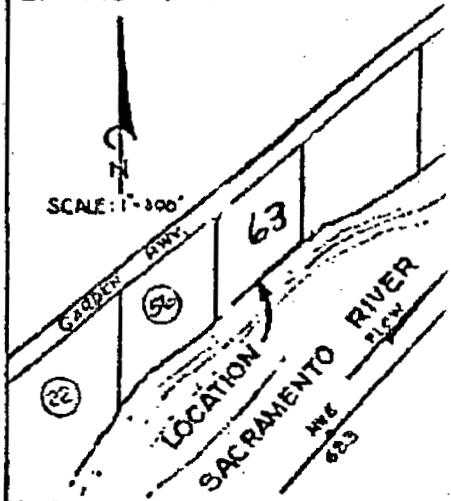


Exhibit A

PRC 5344.1

BRIAN PERRY

SACRAMENTO, CALIF.
 LOCATION:

ASSESSOR'S PARCEL
 NO. 274-220-63.

SACRAMENTO COUNTY
 CALIFORNIA. 95833

FILE REF.: WP 5344

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CALENDAR PAGE

002267

MINUTE PAGE

VLM 06/05/2006